

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO EDUCATION – EDUCATION OF LIMITED ENGLISH PROFICIENT STUDENTS

Introduced By: Representatives O'Brien, Amore, Craven, McEntee, and Marshall

Date Introduced: February 16, 2017

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-54-3 of the General Laws in Chapter 16-54 entitled "Education
2 of Limited English Proficient Students [See Title 16 Chapter 97 - The Rhode Island Board of
3 Education Act]" is hereby amended to read as follows:

4 **16-54-3. Regulation of the board of regents for elementary and secondary education.**

5 (a) It shall be the duty of the ~~board of regents for~~ council on elementary and secondary
6 education to establish and promulgate regulations for the purpose of carrying out the intent of this
7 chapter. These regulations shall include, but are not limited to:

8 (1) Criteria for the identification, assessment, placement, and exiting of eligible students;

9 (2) Criteria for an appropriate educational program or service;

10 (3) Criteria for the monitoring and evaluation of educational programs;

11 (4) Administrative procedures for state reimbursement of approved programs and
12 services;

13 (5) Definitions of responsibilities of the local school committees and the department of
14 elementary and secondary education;

15 (6) Criteria for parent involvement;

16 (7) Time line for phasing in services and programs to assure that the process begins and
17 that all eligible children are served.

18 (b)(1) No standardized statewide assessment, including, but not limited to, any

1 assessment prepared by the partnership for assessment of readiness for colleges and careers
2 ("PARCC"), or similar test the state utilizes as a replacement, however designated, shall be
3 administered to any student identified as a limited English proficient student or "English language
4 learner," prior to September 1, 2020.

5 (2) As to any student identified as a limited English proficient student or "English
6 language learner" who enrolls in a Rhode Island public school or who is identified with limited
7 English proficiency after the effective date of this act, no standardized statewide assessment,
8 including, but not limited to, any PARCC assessment, or similar test used as a replacement, shall
9 be administered to that student for at least three (3) years after the date the student matriculates in
10 or is identified as a limited English proficient student.

11 (3) The provisions of this moratorium on the use of these standardized statewide
12 assessments shall apply to any student currently enrolled in a Rhode Island public school at any
13 level, pre-kindergarten through grade twelve (pre-k – 12).

14 (4) The council on elementary and secondary education shall promulgate rules and
15 regulations to ensure the provisions of this section are properly implemented.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION – EDUCATION OF LIMITED ENGLISH PROFICIENT
STUDENTS

1 This act would prohibit the administration of standardized statewide assessments or
2 similar tests to students identified as limited English proficient students prior to September 1,
3 2020. This act would also prohibit the administration of these tests to students identified as
4 limited English proficient students who are identified or enter the school system after the
5 effective date of this act, for at least three (3) years after the students matriculate in a state public
6 school or are identified. The council on elementary and secondary education would ensure the
7 provisions of this section are properly implemented.

8 This act would take effect upon passage.

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